

REMARKS

Claims 1-8, 10, and 12-27 are pending in this application, all of which stand rejected. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §103

Claims 1-8, 10, and 12-27 stand rejected under 35 U.S.C. §103 as being obvious over U.S. Patent No. 5,894,733 (“Brodner”) in view of U.S. Patent No. 5,855,289 (“Moore”). Applicants respectfully traverse the rejections of claims 1-8, 10, and 12-27, since none of these references, alone or in combination, disclose or suggest the features required by these claims.

In particular, independent claim 1 has been clarified by eliminating the “lower-most edge” language, and instead, requiring the flat surface of the lug to be a lower-most surface that extends radially outward along a plane perpendicular to the outer surface of the body. In contrast, the lower-most surfaces of the ridges 56 of the Brodner sleeve structure 12 do not extend radially outward along a plane perpendicular to the outer surface of the sleeve structure 12. Rather, the lower-most surfaces of the ridges 56 are tapered or beveled, as clearly shown in Fig. 2 of the Brodner, and thus, extend radially outward along a plane that appears to be about 45 degrees to the outer surface of the sleeve structure 12. More relevant to the obviousness issue, and as previously detailed in the amendment and response previously submitted on April 9, 2004, there is no suggestion or disclosure in Brodner that that the lowermost surfaces of the ridges 56 can be made to extend along a plane perpendicular to the outer surface of the sleeve structure 12.

Thus, Applicant submits that claim 1 is patentable over Brodner. In addition, claim 27 has been amended to require the body to be designed to be inseparable. In contrast, the specimen container and sleeve of the Brodner body are designed to be separated. As such, Applicant requests withdrawal of the rejections of claims 1-8, 10, and 12-27.

Conclusion

Based on the foregoing, all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

Respectfully submitted,

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